ORDINANCE 17-O-25 amending Murfreesboro City Code Appendix A—Zoning, Section 9, Standards for Special Use Permits; Section 13, Planned Development Regulations; Section 14, Districts Established; Section 14A, Amenity Incentives for Multiple-Family Developments in the Multiple-Family Residential Districts; Section 19, Residential Districts; Section 24, Overlay District Regulations; Section 25, Temporary and Accessory Structures and Uses; Section 26, Off-Street Parking, Queuing, and Loading; Section 27, Landscaping and Screening; Chart 1, Uses Permitted by Zoning District; Chart 2, Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios; Chart 4, Required Off-Street Parking and Queuing Spaces by Use; Table 1, Adjacent and Proposed Zoning Districts; and Table 2, Buffer Zone Requirements; pertaining to single-family and multi-family housing, City of Murfreesboro Planning Department, applicant [2017-806].

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

<u>SECTION 1</u>. Appendix A, Section 9, Standards For Special Use Permits, of the Murfreesboro City Code is hereby amended at subsection (D)(2)(hh)(2) by deleting it in its entirety and substituting in lieu thereof the following:

"(2) no required parking shall be permitted in the required front yard in the RM-12 and RM-16 zoning districts."

<u>SECTION 2</u>. Appendix A, Section 13, Planned Development Regulations, of the Murfreesboro City Code is hereby amended at:

subsection (B)(1) by adding "RS-6," between "RS-8" and "RS-4" and subsection (C)(1) by deleting "RM-22,".

SECTION 3. Appendix A, Section 14, Districts Established, of the Murfreesboro City Code is hereby amended at subsection (A)(5) through (A)(11) by deleting each subsection in its entirety and substituting in lieu thereof the following:

- (5) RS-6, Single-Family Residential District.
- (6) RS-4, Single-Family Residential District.
- (7) RS-A, Single-Family Residential Attached District.
 - (a) RS-A Type 1, Zero-Lot Line
 - (b) RS-A Type 2, Suburban Townhouse
 - (c) RS-A Type 3, Urban Townhouse
- (8) R-D, Duplex Residential District.
- (9) RM-12, Residential Multi-Family District.
- (10) RM-16, Residential Multi-Family District.
- (11) R-MO, Mobile Home District.

<u>SECTION 4</u>. Appendix A, Section 14A, Amenity Incentives for Multiple-Family Developments in The Multiple-Family Residential Districts, of the Murfreesboro City Code is hereby amended as follows at:

Subsection (B), by deleting the sentence, "No density bonus shall be permitted for multiple family developments of less than one acre or less than five units."

Subsection (B), by inserting the following after the paragraph:

"(1) No density bonus shall be permitted for multiple family developments of less than one acre or less than five units.

(2) Minimum open space and formal open space as required by Section 15(B)(2) shall not be included in calculations for a density bonus. Only open space that exceeds the minimums required by Section 15(B)(2) may be considered for a density bonus."

Subsection (E)(1) by amending "RM-12, RM-16, and RM-22" to read "RM-12 and RM-16".

SECTION 5. Appendix A, Section 19, Residential Districts, of the Murfreesboro City Code is hereby amended by deleting the subsections titled "RM-22, RESIDENTIAL MULTIFAMILY DISTRICT" and "RZ, RESIDENTIAL ZERO-LOT LINE DISTRICT" and by adding the following subsections to the section:

RS-6 SINGLE-FAMILY RESIDENTIAL DISTRICTS

This district is intended to permit the development and continued maintenance of single-family residential areas characterized by relatively low overall density with lots of at least six thousand square feet per dwelling unit. Other uses such as schools, churches, and specified services associated with or compatible with the residential uses allowed in this district are also permitted subject to site plan review and approval or the issuance of a special permit therefor. It is also intended that the relatively low density of this district will permit, to the extent possible, the preservation of open space and natural amenities. The uses permitted in this district, the special uses that may be allowed in this district, and the uses for which administrative site plan review and approval are required are listed in Chart 1 unless otherwise regulated in this article. The minimum lot and yard requirements, maximum height, maximum gross dwelling unit density and the land use intensity ratios which govern any use in this district are listed on Chart 2 unless otherwise regulated in this article.

RS-A, SINGLE-FAMILY ATTACHED

This district is intended to permit the development and maintenance of residential areas characterized by three specific development types:

Type 1: Zero-lot line. Type 1 includes two-unit structures with lots of at least three thousand square feet per dwelling unit.

Type 2: Suburban Townhouse. Type 2 includes single-family attached developments characterized by multi-unit townhouse structures with lots of least two thousand square feet per dwelling unit. Because Type 2 developments require broad building setbacks and dedicated open space, these developments are appropriate for suburban areas.

Type 3: Urban Townhouse. Type 3 includes single-family attached developments characterized by multi-unit townhouse structures with lots of at least two thousand square feet per dwelling unit. Because Type 3 developments have shallow setback requirements and do not necessitate dedicated open space, these developments are appropriate in urban areas, particularly as infill redevelopment.

Other uses such as single-family detached dwellings, schools, churches, and specified services associated with or compatible with the residential uses allowed in this district are also permitted, some of which are subject to site plan review and approval or the issuance of a special permit therefor. The uses permitted in this district, the special uses that may be allowed in this district, and the uses for which administrative site plan review and approval are required are listed in Chart 1, unless otherwise regulated in this article. The minimum lot and yard requirements, maximum height, maximum gross dwelling unit density and the land use intensity ratios which govern any use in this district are listed on Chart 2 unless otherwise regulated in this article.

From and after the effective date of this amendment, all references in the Zoning Ordinance and Zoning Map to "RZ" shall be deemed to refer to "RS-A Type 1".

SECTION 6. Appendix A, Section 21, Commercial Districts, of the Murfreesboro City Code is hereby amended at the CF, COMMERCIAL FRINGE DISTRICT subsection by substituting every reference to "RZ" with "RS-A".

SECTION 7. Appendix A, Section 24, Overlay District Regulations, Article VI, CCO, City Core Overlay District, of the Murfreesboro City Code is hereby amended at subsection (C)(3) by deleting the subsection in its entirety and substituting in lieu thereof the following:

(3) The following uses listed on Chart 1 USES PERMITTED of this article as not permitted in the RS-4, RS-6, RS-8, RD, RM-12, or RM-16 zones shall be permitted by right or by special use permit within the RS-4, RS-6, RD, RM-12, or RM-16 zones in the CCO district, subject to the standards in this subsection as noted below, with an "X" indicating it is a use permitted by right subject to meeting the standards of this article, an "S" indicating the use must receive approval by the Board of Zoning Appeals for a special use permit and must meet the additional standards that may be required for such use by this article, and a blank space indicating that the use is not permitted in the district:

COMMERCIAL	RS-4	RS-6	RS-8	RD	RM-12	RM-
						16
Antique Shop <2000 sq.ft.	Х	Χ	Х	Х	X	Χ
Art or photo studio or gallery <2000	X	Х	Х	Χ	X	Χ
Barber or beauty shop	Х	Х	Х	Χ	X	Χ
Clothing store <2000 sq.ft	Х			Χ	X	Χ
Delicatessen	S	S	S	S	Χ	Χ
Funeral Home	Х			Χ	Χ	Χ
Interior decorator	Х			Χ	X	Χ
Laundries, Self Service	S			S	S	S
Office < 2000 sq.ft.	Х			Х	Х	Χ
Restaurant and Carry Out	S			S	S	S
Restaurant, specialty	S			S	S	S
Restaurant, specialty-limited	S	S	S	S	S	S
Retail shop <2000 sq.ft.	Х			Χ	Х	Х

SECTION 8. Appendix A, Section 25, Temporary and Accessory Structures and Uses, of the Murfreesboro City Code is hereby amended at subsection (D) by substituting every reference to "RZ" with "RS-A" and by inserting "RS-6," immediately following each reference to "RS-8,".

SECTION 9. Appendix A, Section 26, Off-Street Parking, Queuing, and Loading, of the Murfreesboro City Code is hereby amended at subsection (C)(1)(b)(2) by deleting reference to "RM-12, RM-16, and RM-22" and substituting in lieu thereof reference to "RM-12 and RM-16"

SECTION 10. Appendix A, Chart 4, Required Off-Street Parking and Queuing Spaces by Use, of the Murfreesboro City Code is hereby amended by inserting the following use and number of parking and queuing spaces required under the subheading "Dwellings":

Townhouse, Urban or Suburban

a. For each dwelling unit with 1 bedroom,1.5 spaces shall be provided.

b. For each dwelling unit with 2 or more bedrooms, 1.1 spaces shall be provided for each bedroom with any fraction of a space rounded to the next higher number notwithstanding Section 26(C)(2)(a).

<u>SECTION 11</u>. Appendix A, Section 27, Landscaping and Screening, of the Murfreesboro City Code is hereby amended at subsection (L)(1)(a) by deleting the list of Residential Districts in its entirety and substituting in lieu thereof the following list:

Residential Districts

RS-15, Single-Family Residential District

RS-12, Single-Family Residential District

RS-10, Single-Family Residential District

RS-8, Single-Family Residential District

RS-6, Single-Family Residential District

RS-4, Single-Family Residential District

RS-A, Residential Single-Family Attached District

R-D, Duplex Residential District

RM-12, Residential Multi-Family District

RM-16, Residential Multi-Family District

R-MO, Mobile Home District

SECTION 12. Appendix A, Chart 1 Endnotes, Uses Permitted by Zoning District, of the Murfreesboro City Code is hereby amended as follows:

- Delete reference to "RS-15, RS-12, RS-10, RS-8, RS-4, RD, RM-12, RM-16, RM-22, RZ, R-MO, and CF districts" and substitute in lieu thereof "RS-15, RS-12, RS-10, RS-8, RS-6, RS-4, RS-A, RD, RM-12, RM-16, R-MO, and CF districts";
- 8. Delete reference to "RS-15, RS-12, RS-10, RS-8, RS-4, and RZ districts" and substitute in lieu thereof "RS-15, RS-12, RS-10, RS-8, RS-6, RS-4, and RS-A districts"
- 13.(b) Within the "Examples," remove the line that begins "RM-22";
- 15.(c) Delete reference to "RZ" and substitute in lieu thereof "RS-A".

<u>SECTION 13</u>. Appendix A, Chart 2 Endnotes, Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios, of the Murfreesboro City Code is hereby amended as follows:

- 2. After "Multiple family developments" insert the words, "and townhouse developments"
- 8. Delete in its entirety and mark as "Reserved."
- 10. Delete in its entirety and substitute in lieu thereof: "In the RS-8, RS-6, RD, RM-12, RM-16, CM-R, and CL districts where the minimum side yard may be five feet on one side of the structure, the sum of the two side yards shall be no less than fifteen feet, except where two single-family dwelling units share a property line."
- Delete reference to "RS-15, RS-12, RS-10, RS-8, RS-4, RD, RM-12, RM-16, RM-22, RZ, R-MO, CM-R, CM, CM-RS-8, OG-R, OG, and CU districts" and substitute in lieu thereof, "RS-15, RS-12, RS-10, RS-8, RS-6,

- RS-4, RS-A, RD, RM-12, RM-16, R- MO, CM-R, CM, CM-RS-8, OG-R, OG, and CU districts"
- 15. Delete reference to "RZ" and substitute in lieu thereof "RS-A"
- 16. Delete reference to "RS-15, RS-12, RS-10, RS-8, RS-4, R- D, RM-12, RM-16, RM-22, R-MO, RZ, CM, CM-R, OG, CL, CF, and CU zones" and substitute in lieu thereof, "RS-15, RS-12, RS-10, RS-8, RS-6, RS-4, RS-A, R- D, RM-12, RM-16, R-MO, CM, CM-R, OG, CL, CF, and CU zones"

Insert new 26. through 35. to read as follows:

- 26. In the RM-12 and RM-16 districts, multi-family residential developments shall be subject to the following minimum open space requirements:
 - (a) A minimum of 20 percent of the site shall be designated as open space.
 - (b) All landscape areas or natural areas greater than 200 square feet may constitute open space.
 - (c) For a phased development, the required 20 percent open space may be provided with each phase.
 - (d) Minimum required open space shall not be included in calculations for any density bonus as described in Section 14A. Only open space that exceeds the minimums established in this section may be considered for a density bonus.
- 27. In the RM-12 and RM-16 districts, multi-family residential developments shall be subject to the following minimum formal open space requirements:
 - (a) A minimum of five percent of the site's gross developable area shall be designated as formal open space.
 - (b) Designated formal open space shall be usable and may consist of hardscape improvements, street furnishings, and amenity structures (i.e. gazebos, arbors, band shells, etc.).
 - (c) Minimum required formal open space shall not be included in calculations for any density bonus as described in Section 14A. Only open space that exceeds the minimums established in this section may be considered for a density bonus.
- 28. In the RS-6 district, the facades of principal structures shall consist primarily of one or more of the following materials: brick, stone, or cementitious siding. Other building materials such as EIFS, vinyl siding, and wood siding may be used for decorative or accent purposes and may constitute no more than 25 percent of any façade.
- 29. In the RS-6 district, a garage attached to a single-family dwelling shall have a minimum front setback of 35 feet. The remaining portion of the structure shall have a minimum front setback of 25 feet. The driveway of an attached or detached garage in the RS-6 district shall have sufficient width and depth to accommodate four vehicles. A single-family dwelling unit that has no garage shall have a minimum front setback of 35 feet.
- 30. In the RS-A district, the facades of townhouse units shall consist primarily of one or more of the following materials: brick, stone, or cementitious siding. Other building materials such as EIFS, vinyl siding, and wood siding may be used for decorative or accent purposes and may constitute no more than 25 percent of any façade.
- 31. In the RS-A district, Type 3 (Urban Townhouse) townhouses shall have a minimum height of two stories.

- 32. In the RS-A district, a row of Type 2 (Suburban Townhouse) or Type 3 (Urban Townhouse) townhouses shall consist of a minimum of three townhouse units and no more than eight townhouse units or 240 feet of building length, whichever is less.
- 33. In the RS-A district, Type 2 (Suburban Townhouse) developments consisting of ten or more acres shall set aside a minimum of ten percent of the gross development area as open space. At least fifty percent of the open space set-aside shall be designated as formal open space and shall be maintained in perpetuity by the developer and/or Homeowners Association (HOA). A formal open space shall consist of a minimum of 5,000 square feet and may include hardscape improvements, street furnishings, recreational facilities, and amenity structures (i.e. gazebos, arbors, band shells, etc.). Individual lots in an RS-A zoned subdivision for single-family detached dwelling units shall not be required to provide formal open space on each lot as described in this subsection.
- The following standards shall apply to developments in the RS-A district for Type 3 (Urban Townhouse) developments:
 - (a) Townhouses shall have a minimum finished floor elevation of eighteen inches above grade when the front setback is less than thirty feet.

 Usable porches/stoops, landscaping, and non-opaque decorative fencing may be used to distinguish between public and private space.
 - (b) Maximum building height shall be 42 feet or three stories, whichever is less.
 - (c) In areas where sidewalk width is equal to or greater than eight feet, and where on-street parking is available in front of the proposed development, townhouses may be constructed to the rear edge of the sidewalk.
 - (d) Off-street parking shall be located to the rear or side of the building and shall be accessed via alleyway or shared driveway. Individual driveways shall not be allowed. Front-facing garages or carports shall not be allowed.
- 35. An application for RS-A zoning shall clearly indicate the development type sought (i.e. Type 1 Zero-Lot Line, Type 2 Suburban Townhouse, or Type 3 Urban Townhouse). If multiple development types are sought for a property, the application shall include a description of the property designated for each development type.

SECTION 14. Appendix A, Chart 1, Uses Permitted by Zoning District, of the Murfreesboro City Code is hereby amended at the portions indicated on the attached Chart 1 by deleting the affected rows or columns of the chart and substituting in lieu thereof the corresponding rows or columns specified in the attached.

SECTION 15. Appendix A, Chart 2, Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios, of the Murfreesboro City Code is hereby amended at the portions indicated on the attached Chart 2 by deleting the affected rows or columns of the chart and substituting in lieu thereof the corresponding rows or columns specified in the attached.

SECTION 16. Appendix A, Table 1, Adjacent and Proposed Districts, of the Murfreesboro City Code is hereby amended as indicated on the attached Table 1.

<u>SECTION 17</u>. Appendix A, Table 2, Buffer Zone Requirements, of the Murfreesboro City Code is hereby amended as indicated on the attached Table 2.

SECTION 18. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading

June 15, 2017

2nd reading

August 17, 2017

ATTEST:

Melissa B. Wright City Recorder APPROVED AS TO FORM

Craig D. Tinda City Attorney

SEAL

USES PERMITTED ³					-	ZONING DISTRICTS	G DIS	TRICT	ည									-			
	RS 15	71 2A RS 10	N 57	₽8.4	ая	21 MA 81 MA	RM 22	Z8	OM A	OG K	,50	CE _{5'14} Cr ₅	CH ₅	ูกพ	СВО	zIH	CW-B8-8 ₅	CM-R ²	CM ₅	cn	d
COMMERCIAL																					
Motor Vehicle Sales (Automobiles)													S	S		XEN	XEN	-	-		
Motor Vehicle Sales (Other Than												_	_	_				-		L	
Automobiles)													· ·			×	×				
Vehicle Sales (Non-Motorized)													×	×		×	×	-	-	L	

X = Use permitted by right.S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

MINIMUM LOT REQUIREMENTS, MINIMUM YARD REQUIREMENTS, AND LAND USE INTENSITY RATIOS CHART 2.

	Minimum Lot Requirements	Lot	Minin	Minimum Yard Requirements ^{5, 17}	17			Land Use Intensity Ra	Land Use Intensity Ratios		
DISTRICT AND USE	Area (Sq. Ft.)	_	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Maximum Height ¹⁶ (Ft.)	Maximum Gross Density ² (D.U./Acre)	Maximum F.A.R.	l =	Minimum O.S.R.	Maximum Lot Coverage
RS-6 DISTRICT 1. Dwellings and other uses permitted	6,000	50[12]	35[FN]	က	20	35	7.2	none	none	none	50
RM-12 DISTRICT 1. Single-family detached dwellings and other uses permitted except 2. Two-family dwellings 3. Three-family dwellings 4. Four-family dwellings 5. Single-family with zero lot line? 6. Multiple-family dwellings	7,500 7,500 11,250 15,000 3,750 FN ⁽¹⁴⁾	5012 5012 5012 5012 1812 5012	30 ⁽¹⁾ 30 ⁽¹⁾ 30 ⁽¹⁾ 30 ⁽¹⁾ 30 ⁽¹⁾ 30 ⁽¹⁾	5110] 5110] 5110] 1017 1013]	25 25 25 25 25 25	35 35 35 35 35 45 ^[11]	7. 7. 7. 8. 8. 1. 1. 6. 1. 1. 6. 1. 1. 6. 1. 1. 6. 1. 1. 6. 1. 1. 6. 1. 1. 6. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	000 e e o o o o o o o o o o o o o o o o	none none none none	none none none none none	30 30 30 10010 10010
RM-16 DISTRICT 1. Single-family detached dwellings and other uses permitted except 2. Two-family dwellings 3. Three-family dwellings 4. Four-family dwellings 5. Single-family with zero lot line ⁷ 6. Multiple-family dwellings	6,000 6,000 9,000 12,000 3,000 FN ⁽⁹⁾	50(12) 50(12) 50(12) 50(12) 18(12) 50(12)	30 ⁽¹⁾ 30 ⁽¹⁾ 30 ⁽¹⁾ 30 ⁽¹⁾ 30 ⁽¹⁾	5(19) 5(19) 5(19) 5(19) 10(19) FN(19)	25 25 25 25 25 25 25	35 35 35 35 35 35 45 ^[11]	7.3 14.5 14.5 14.5 14.5 FN®	00000000000000000000000000000000000000	none none none none	none none none none	35 30 30 000e
RM-22 DISTRICT 1. Single-family detached dwellings and other uses permitted except 2. Two-family dwellings 3. Three-family dwellings 4. Four-family dwellings 5. Single-family with zero lot line? 6. Multiple-family with zero lot line?	5,000 5,000 7,500 10,000 2,500 FN ⁽⁸⁾	50[12] 50[12] 50[12] 60[12] 18[12] 50[12]	30 ^H 30 ^H 30 ^H 30 ^H 30 ^H	5 ⁽⁴⁰⁾ 5 ⁽⁴⁰⁾ 5 ⁽⁴⁰⁾ 10 ⁽⁴⁰⁾ FN ⁽⁴⁰⁾	75 75 75 75 75 75 75 75 75 75 75 75 75 7	35 35 35 35 35 35	8,7,4 17,4 17,4 17,4 17,4	нопе нопе нопе нопе	10000 10000 10000 10000 10000	1000 1000 1000 1000 1000 1000	35 30 30 900 900 900
RZRS-A DISTRICT 1. Single-family detached and single-family with zero-lot line attached or detached	3,000	30[12]	30[1]	cy.	20	35	14.5	0.3	0.48	7.0	none
 Single-family attached townhouse (suburban type) 	2,000	20	35(1)	ro	20	35	21.5	1.0	0.5	0.25	none
3. Single-family attached townhouse (urban type)	2,000	20	20[1][FN]	5[FN]	20	42FN	21.5	1.0	none	none	none
2.4. Other uses permitted	6,000	30 ^[12]	30[1]	10	20	35	none	none	none	none	none

ABLE 1

ADJACENT DISTRICT

<u>а</u>	N/A	⋖	æ	В	B	U	A	٥	N/N A/N
H-1 / L-1	N/A	A	A	A	A	A	A	N/A	A
CO	N/A	⋖	A	P4	A ¹	A	N/A ¹	A	A
CH / CF / MU	N/A	٧	A	A	٧	N/A	Æ	٧	A
ರ	N/A	۷	۷	P4	N/A1	P4	A,	A	А
CM-R/CM CM-RS-8 OG-R/OG	N/A	A	∢	N/A1	Α,	A¹	A1	O	A
R-MO	N/A	O	N/A	A	A	U	∢	Ω	A
RM	N/A	N/A1	A	٧	A	O	٧	Q	A
RS R-D/RZ RS-A	N/A	0	O	æ	В	Q	O	Ш	A
	RS / R-D / RZRS-A Single-family detached, attached, zero lot line, and two family	RM Three, four, five family and greater	R-MO Mobile homes	CM-R / CM / OG-R / OG / CM-RS-8 Medical offices, clinics, offices *Except single-family and two family uses	CL Commercial uses *Except single-family and two family uses	CH / CF / MU Commercial uses	CU Educational institutions *Except single-family and two family uses	H-I / L-I Industrial uses	P Parks *All of the uses

Footnote: ¹ If single family or two family exists use Type B. ² CBD Exempt.

TABLE 2. BUFFER ZONE REQUIREMENTS

Text to be removed indicated with **bold red print**Text to be added indicated with **bold black print**

